

Minutes of the Judiciary and Law Enforcement Committee
February 16, 2018

Chair Wolff called the meeting to order at 8:30 a.m.

Committee Members Present: Supervisors Peter Wolff (Chair), Jennifer Grant, Jim Batzko, Bill Zaborowski, Timothy Dondlinger, Kathleen Cummings and Mike Crowley.

Others Present: Legislative Policy Advisor Sarah Spaeth, Inspector James Gumm, Business Manager Lyndsay Johnson, Deputy Inspector Torin Misko, Financial Analyst Joshua Joost, Jail Administrator Michael Giese, Senior Correctional Facility Manager Angela Wollenhaupt, Senior Financial Analyst Mark Yatchak, and Lieutenant Connie Acheson. Minutes Recorded by Beth Schwartz, County Board Office.

Approve Minutes of December 8, 2017

MOTION: Dondlinger moved, second by Batzko to approve the minutes of December 8, 2018. Motion carried 7-0.

Correspondence

Appropriation fund transfer request from Circuit Court Services to address projected budget shortfalls of \$165,000 in several key Courts areas. This is due to an expense shortfall related to jury expenses and medical services related to high profile criminal and sensitive homicide jury trials. These cases also created a shortfall due to defendant transportation and court security.

Appropriation fund transfer request from the Sheriff's Department who projected to exceed the overtime budget by \$1.25 million. Over budget spending is mainly due to position vacancies and the need to pay overtime for shift coverage, newly hired staff, and sick time/FMLA leave. The department is requesting a transfer total of \$345,000 to address the variance.

Appropriation fund transfer request from the Sheriff's Department for a total of \$197,000. The Department increased hiring which required additional overtime for newly hired staff working through department training programs to count toward shift minimums.

The committee was invited to attend the Executive Committee meeting on Monday, February 19, 2018 for the Sheriff's Department overtime audit.

Future Meeting Date: March 16, 2018 & March 30, 2018

Discuss and Consider Ordinance 172-O-077: Create One Regular Full-Time Position Of Senior Information Technology Professional And Abolish One Regular Full-Time Position Of Detective

Gumm said the Waukesha County Sheriff's Department currently operates and staffs a computer forensics unit with two full-time sworn detectives. The technical expertise required to staff the unit is significant and not easily obtained by sworn staff who are not trained in the information technology field, and the amount of training required to provide sworn staff with the skills necessary to be successful in the computer forensics unit is cost and time prohibitive. The number of cases that require computer forensics expertise has increased exponentially. The Sheriff's Department has worked with the District Attorney's Office to ensure that non-sworn staff could be utilized to gather evidence used in the development of a case. No additional funding outside of the Sheriff's Department 2018 budget will be needed to cover the costs of this position.

This ordinance creates a regular full time 1.00 FTE Senior Information Technology Professional (salary range \$69,742-\$92,206) and abolishes a regular full time 1.00 FTE Detective (salary range \$69,098-\$74,797) in the Sheriff's Department—General Investigations Division. According to Gumm, this will give the Sheriff more

technical expertise in the position than the current Detective position. The Detective position proposed to be abolished is vacant with a full year position budget of \$86,734. The Senior Information Technology Professional position being created is estimated at an annual cost \$81,970, resulting in a budget savings of \$4,764. The delay in filling the position will contribute additional vacancy and turnover savings for the Department in 2018. This ordinance results in no additional tax levy for the 2018 budget. Cummings asked how this position will be recruited and Gumm said it will be a national recruitment. Batzko asked how this will affect the workload for the Department. Gumm said this is an even switch when it comes to work duties and is economically is the best decision, however not having a sworn law enforcement officer will reduce flexibility.

MOTION: Crowley moved, second by Dondlinger to approve Ordinance 172-O-077. Motion carried 7-0.

Presentation on Huber and Electronic Monitoring and Tour of Facility

Gumm said electronic monitoring has been greatly misunderstood. There will not be savings by increasing electronic monitoring because the minimum number of staff in Huber will not change. Giese provided a brief overview of Huber which opened in 1994 to alleviate overcrowding in the jail. The building was originally constructed as a hospital and with the “L” shaped wings, there is no way to constantly monitor all the inmates. The building is costly to run due to a poor heating and ventilation system. A professional consulting firm was hired to devise an effective monitoring plan. Although the professionals hired found a guard should be posted in each station within the floors, Huber maintains one guard on each floor. The facility has had problems with contraband smuggled in and fighting. Huber is administered as a “348” unlocked facility, meaning there are no locked cells. It can hold 324 beds, but after closing the second floor, capacity is limited to 178 beds. The facility operates in zones: women take half of the ground floor, unemployed men on the other half of the ground floor, and finally men are zoned on the entire 1st floor. Answering Grant’s request for staffing clarification, Wollenhaupt said there is an officer posted in the control room, ground floor, and first floor, as well as one medical officer. Inmates are dressed out when they leave and dressed in when they return to the facility, which requires the most amount of staff time. Giese said Huber was supposed to be a temporary solution. The vote by Criminal Justice Collaborating Council (CJCC) was to keep a Huber facility in the county, because adding to the county jail population would cause overcrowding. The best option is to rebuild the Huber facility to tailor to the program’s needs. Cummings discussed what resources it would take to open the third floor. Giese said having the ability to separate into further classifications would be ideal, but CJCC decided the Huber population should be reduced so the floor was closed.

Wollenhaupt led the committee on a tour of the facility.

Electronic monitoring is not normally considered unless there is overcrowding or severe concerns with the inmate, such as when it is a liability or medical concern for them to be in the facility. This can include transgender inmates who are not safe to house in the facility or a cancer patient in treatment. Electronic monitoring is not worth the risk if the need is not there, as it is often problematic when inmates are meant to be locked up. Increasing the number of electronic monitoring requires the Patrol Division to do checks and increasing that number would have unforeseeable problems. Day reporting is a monitoring program through Wisconsin Community Services (WCS) as part of CJCC. An inmate checks in with the day report center 2-3 times a week. Misko said some electronic monitoring is used but vetted through the courts system. Violent felons and drug traffickers are not considered for the program. Wolff commented that Milwaukee is equipped to use more electronic monitoring. There are currently two court ordered convicts out on electronic monitoring in the County. Crowley asked what can be done to improve Huber. Gumm said short term solutions to increase safety include covering facility blind spots with more staff. Giese said there have been two fatal drug overdoses and one suicide attempt. Because of short staffing they are quick to act on inmate bad behavior, which can

include taking away work release for up to 5 days per infraction, or pulling an inmate out of Huber and housing them at the County Jail.

Legislative Update

Spaeth updated the committee on the fast-moving bill to overhaul juvenile corrections. The bill proposes the closing of Lincoln Hills by 2020. It requires the Serious Juvenile Offender (SJO) to be in the care of the Department of Corrections. For the children not considered SJOs, the bill transfers supervision of juveniles under correctional placement to the County, who would be responsible for establishing a secured residential care (SRC) center. The bill creates a council to study juvenile corrections issues and a grant program under which counties may apply for state funding of 95% to establish or construct an SRC, however the grant does not cover any cost of operations. The County, which has a very small number of juveniles under correctional placement and does not incur the costs associated with operating an SRC, can partner with neighboring counties such as Racine which already has an SRC. Spaeth said the bill is moving quickly despite the number of concerns voiced. It has already been through multiple revisions and will be voted on by both houses within a week.

Spaeth also updated the committee on the County Executive Modernization Bill. Proposed changes include forming a commission to determine the pay for elected officials and the County Board would adopt the commission's recommendations without the ability to propose changes. The County Executive would have sole authority over donations, grants, and gifts. The bill also includes bi-annual budgeting with a condensed timeline. Spaeth urged the supervisors to reach out to their legislators. Answering Cummings' question, Spaeth discussed how the bill was started. With concerns from both sides, Spaeth plans to testify Wednesday at the bill hearing.

Motion to Allow Secretary Grant to Approve the Final Set(s) of Committee Minutes on Behalf of the Committee

MOTION: Cummings moved, second by Batzko to approve the final set(s) of committee minutes on behalf of the committee. Motion carried 7-0.

MOTION: Cummings moved, second by Grant to adjourn the meeting at 10:35 a.m. Motion carried 7-0.

Respectfully submitted,

Jennifer Grant
Secretary